

Final Rule

LSA Document #14-25(F)

DIGEST

Amends [312 IAC 5-8-2](#) and [312 IAC 5-8-3](#), which provide boating restrictions on designated portions of Lake Michigan for public and navigational safety, to amend the existing no-boat zones adjacent to the Jeorse Park Beach in East Chicago and the Marquette Park Beach in Gary in [312 IAC 5-8-2](#) to conform to improvements and changed shorelines since the rules were adopted in 2002, though the description of the no-boat zone is not modified for Marquette Park Beach, but the boundaries are extended to coincide with an extended parking lot that is referenced to describe the zone and, for the no-boat zone adjacent to Indiana Dunes State Park in [312 IAC 5-8-3](#), a kayak and canoe corridor is established for participation in the Lake Michigan Water Trail designated by the U.S. Department of Interior. Effective 30 days after filing with the Publisher.

[312 IAC 5-8-2](#); [312 IAC 5-8-3](#)

SECTION 1. [312 IAC 5-8-2](#) IS AMENDED TO READ AS FOLLOWS:

[312 IAC 5-8-2](#) Lake County waters of Lake Michigan; boating restrictions

Authority: [IC 14-10-2-4](#); [IC 14-11-2-1](#); [IC 14-15-7-3](#); [IC 14-29-1-8](#)

Affected: [IC 14](#)

Sec. 2. A person must not operate a boat in the following Lake County zones on Lake Michigan:

(1) Near Hammond, adjacent to lands managed by the Hammond Department of Parks and Recreation, at the following locations:

(A) The site known as the Lake Front Beach with:

- (i) the western boundary beginning at the Southern Electric Company breakwall and the Lake Michigan shoreline extending lakeward and perpendicular to the shoreline for two hundred (200) feet;
- (ii) the eastern boundary beginning at a point one thousand two hundred (1,200) feet from the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and
- (iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(B) The site known as the Hammond Marina Beach with:

- (i) the western boundary beginning at a point two thousand four hundred (2,400) feet east of the Southern Electric breakwall and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;
- (ii) the eastern boundary at the Hammond Marina breakwall and the Lake Michigan shoreline extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and
- (iii) the northern boundary formed by a line running parallel to the shoreline terminating at the lakeward-most points of the eastern boundary and the western boundary.

(2) Near Whiting, adjacent to the Whihala Beach County Park at the following locations:

(A) The site known as the West Swimming Beach with:

- (i) the western boundary beginning at the intersection of the Whihala Beach County Park fishing pier and the Lake Michigan shoreline and extending lakeward and parallel to the fishing pier for two hundred (200) feet;
- (ii) the eastern boundary beginning at a point three hundred eighty (380) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and
- (iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(B) The site known as the Pocket Beach with:

- (i) the western boundary beginning at a point one thousand (1,000) feet east of the Whihala Beach County Park fishing pier and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;
- (ii) the eastern boundary beginning at a point five hundred ten (510) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and
- (iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(C) The site known as the East Swimming Beach with:

- (i) the eastern boundary beginning at the intersection of the western breakwater of the boat launch facility

at Whihala Beach County Park and the Lake Michigan shoreline and extending lakeward and parallel to the breakwater for two hundred (200) feet;

(ii) the western boundary beginning at a point one thousand six hundred (1,600) feet west of the eastern boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(3) Adjacent to East Chicago, at a site known as the Jearse Park Beach Swimming Area with

~~(A) the western boundary being formed by the breakwall of the Jearse Park Beach front;~~

~~(B) the eastern boundary being formed by a north-south line aligned with the rock revetment located at the East Chicago corporation boundary; and~~

~~(C) the northern boundary being formed by a line running two hundred (200) feet from and parallel to the shoreline and terminating at the eastern boundary and the western boundary.~~ **the eastern boundary**

beginning at a point on the Lake Michigan shoreline formed by extending the eastern boundary of the Jearse Park parking lot in a straight line; then in a straight line perpendicular to the shoreline for two hundred (200) feet; and then in a straight line in a generally northerly or northwesterly direction to the breakwater southeast of the Ameristar Casino.

(4) Adjacent to Gary, as follows:

(A) At a site known as the Lake Street Swimming Area with:

(i) the western boundary beginning at the intersection of a line parallel to the eastern edge of the Lake Street parking lot and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(ii) the eastern boundary beginning at a point seven hundred ninety-eight (798) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

(B) At a site known as the Marquette Park Swimming Area with:

(i) the western boundary beginning at the intersection of a line parallel to the western edge of the Marquette Park main parking lot and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(ii) the eastern boundary beginning at the intersection of the centerline of Montgomery Street and the Lake Michigan shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(iii) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

(Natural Resources Commission; [312 IAC 5-8-2](#); filed Mar 23, 2001, 2:50 p.m.: 24 IR 2378, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: [20080625-IR-312080057RFA](#); errata filed Jun 2, 2009, 10:29 a.m.: [20090624-IR-312090386ACA](#); filed Jul 9, 2014, 11:13 a.m.: [20140806-IR-312140025FRA](#))

SECTION 2. [312 IAC 5-8-3](#) IS AMENDED TO READ AS FOLLOWS:

[312 IAC 5-8-3](#) Porter County waters of Lake Michigan; boating restrictions

Authority: [IC 14-10-2-4](#); [IC 14-11-2-1](#); [IC 14-15-7-3](#); [IC 14-29-1-8](#)

Affected: [IC 14](#)

Sec. 3. A person must not operate a boat in the following Porter County zones on Lake Michigan:

(1) Near Gary and Ogden Dunes, at a site adjacent to the Indiana Dunes National Lakeshore known as the West Beach Swimming Area, with:

(A) the western boundary beginning at the intersection of the Lake-Porter County line and the shoreline and extending two hundred (200) feet lakeward along the county line;

(B) the eastern boundary beginning at the intersection of the Ogden Dunes pump house and the shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

(2) Adjacent to Porter, at a site known as the Porter Beach Association Swimming Area, with:

(A) the western boundary beginning at the intersection of the centerline of Dearborn Street and the shoreline and extending lakeward and perpendicular to the shoreline for a distance of two hundred (200) feet;

(B) the eastern boundary beginning at the intersection of the western edge of State Street and the shoreline and extending perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the

lakeward-most points of the western boundary and the eastern boundary.

(3) Adjacent to Porter, at a site known as the Porter Beach Swimming Area, with:

(A) the western boundary beginning at the intersection of the western edge of State Street and the shoreline and extending lakeward and perpendicular to the shoreline for a distance of two hundred (200) feet;

(B) the eastern boundary coextensive with the western boundary of the zone established in subdivision (4); and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

However, excluded from this zone is a boat channel, with its western boundary beginning at the intersection of the western edge of Wabash Street and the shoreline and extending entirely through the zone lakeward and perpendicular to the shoreline, and with its eastern boundary beginning at the intersection of the eastern edge of Wabash Street and the shoreline and extending lakeward and parallel to the western boundary of the boat channel.

(4) Adjacent to the Indiana Dunes State Park, at a site known as Indiana Dunes State Park Swimming Area, with:

(A) the western boundary beginning at the intersection of the western park boundary and the shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(B) the eastern boundary beginning at a point one thousand eight hundred (1,800) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the western boundary and the eastern boundary.

However, a nonmotorized kayak or canoe may be used for ingress into or egress from Indiana Dunes State Park through a channel that is delineated by buoys.

(5) Near Beverly Shores, at a site adjacent to the Indiana Dunes National Lakeshore and known as the Kemil Beach Swimming Area, with:

(A) the western boundary at the eastern boundary of the Indiana Dunes State Park;

(B) the eastern boundary six hundred (600) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(6) Near Beverly Shores, at a site adjacent to the Indiana Dunes National Lakeshore and known as the Central Avenue Beach Swimming Area, with:

(A) the western boundary beginning on the shoreline four hundred (400) feet west of the intersection of the centerline of Central Avenue and the shoreline and extending lakeward and perpendicular to the shoreline for two hundred (200) feet;

(B) the eastern boundary eight hundred (800) feet east of the western boundary and extending lakeward and perpendicular to the shoreline for two hundred (200) feet; and

(C) the northern boundary formed by a line running parallel to the shoreline and terminating at the lakeward-most points of the eastern boundary and the western boundary.

(Natural Resources Commission; [312 IAC 5-8-3](#); filed Mar 23, 2001, 2:50 p.m.: 24 IR 2379, eff Jan 1, 2002; readopted filed May 29, 2008, 1:53 p.m.: [20080625-IR-312080057RFA](#); errata filed Jun 2, 2009, 10:29 a.m.: [20090624-IR-312090386ACA](#); filed Jul 9, 2014, 11:13 a.m.: [20140806-IR-312140025FRA](#))

LSA Document #14-25(F)

Notice of Intent: [20140205-IR-312140025NIA](#)

Proposed Rule: [20140402-IR-312140025PRA](#)

Hearing Held: May 1, 2014

Approved by Attorney General: June 23, 2014

Approved by Governor: July 8, 2014

Filed with Publisher: July 9, 2014, 11:13 a.m.

Documents Incorporated by Reference: None Received by Publisher

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Posted: 08/06/2014 by Legislative Services Agency

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